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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 GUILLERMO RENTERIA NOVOA,

10 Plaintiff,

11 v.

12 ISIDRO BACA, et al.,

13 Defendant.

Case No. 3:15-cv-00537-MMD-VPC

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION OF
MAGISTRATE JUDGE
VALERIE P. COOKE

14 Before the Court is the Report and Recommendation of United States Magistrate
15 Judge Valerie P. Cooke (ECF No. 36) ("R&R" or "Recommendation") relating to
16 Defendants' motion to enforce settlement (ECF No. 18), which Plaintiff opposed (ECF
17 Nos. 27, 29). The parties had until May 29, 2017, to object to the R&R. To date, no
18 objection has been filed.

19 This Court "may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party
21 timely objects to a magistrate judge's report and recommendation, then the court is
22 required to "make a *de novo* determination of those portions of the [report and
23 recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails
24 to object, however, the court is not required to conduct "any review at all . . . of any issue
25 that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).
26 Indeed, the Ninth Circuit has recognized that a district court is not required to review a
27 magistrate judge's report and recommendation where no objections have been filed. See
28 *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard

1 of review employed by the district court when reviewing a report and recommendation to
2 which no objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,
3 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the
4 view that district courts are not required to review "any issue that is not the subject of an
5 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
6 the court may accept the recommendation without review. *See, e.g., Johnstone*, 263 F.
7 Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to
8 which no objection was filed).

9 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
10 determine whether to adopt Magistrate Judge Cooke's R&R. The Magistrate Judge
11 recommended granting Defendants' motion to enforce settlement. Upon reviewing the
12 R&R and underlying briefs, this Court finds good cause to adopt the Magistrate Judge's
13 Recommendation in full.

14 It is therefore ordered, adjudged and decreed that the Report and
15 Recommendation of Magistrate Judge Valerie P. Cooke (ECF No. 36) is accepted and
16 adopted in its entirety. The Court grants Defendants' motion to enforce settlement (ECF
17 No. 18).

18 It is ordered that the parties submit the stipulation and order dismissing this case
19 with prejudice within ten (10) days from the date of this order.

20 DATED THIS 5th day of June 2017.



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23 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE
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